REMARKS

This Response, submitted in reply to the Office Action dated December 9, 2009, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-6 and 9-17 are all the claims pending in the application.

I.   Rejection of claims 1-6 and 9-17 under 35 U.S.C. § 103

Claims 1-6 and 9-17 are rejected under 35 U.S.C. § 102(e) as being unpatentable over Machida et al. (Patent No.: US 6,885,387 B1), hereinafter "Machida" in view of Allan et al (EP 1094635 A2), hereinafter "Allan."

Claim 1

The Examiner asserts that Machida Figs. 4 and 5 and column 4 lines 44-45, teaches "**a plurality of elements associated with hierarchical levels**, wherein each element **is associated with a set of primary data <u>stored in a memory</u>**, said **primary data representing the element in the level to which said element belongs <u>without any specific attachment to any level higher than said element.</u>**"

Machida discloses a display method and apparatus having control of a displayed icon. The network apparatus is capable of calculating positions on a display screen where connecting states of network apparatuses connected to a network are displayed on the basis of connecting information of the network apparatuses. See Abstract.

The aspect of Machida cited by the Examiner describes a main window 403 which displays icons indicative of PC's and peripherals shared on the network. See column 4, lines 15-19. The icon 403a is an icon showing the self apparatus. The icon 403b is an icon showing a domain in which the self PC is in a logon state. Since the self PC is a special apparatus, it is displayed so as to be distinguished from the other PC's. The icons 403a to 403ae are displayed as icon (display forms) of device kinds in accordance with device kinds such as PC, printer, image scanner, and FAX modem.

The Examiner appears to be citing the PC's, printer, image scanner, and FAX modem for teaching the claimed plurality of elements. However, the claims should be read in light of the applicant's specification. It would be clear to one of skill in the art that the plurality of elements as claimed is not a PC, printer, image scanner, or FAX modem, as discussed in Machida. See, for example, page 5, lines 6 to 19 and page 8, lines 7-30, of the Applicant's specification.

Further, the PC, printer, image scanner, and FAX modem of Machida are not "<u>associated with</u> hierarchical levels." Merely because Machida discloses that a FAX modem can be connected to a PC, does not teach or suggest that the FAX modem or the PC is associated with a hierarchical level as claimed. See for example, page 8, lines 7-24 of the Applicant's specification for further clarification. Therefore, one of skill in the art, in light of the Applicant's disclosure, would not interpret that the devices of Machida are <u>associated with</u> <u>hierarchical levels</u>, as claimed.

Claim 1 further recites that "**each element is associated with a set of primary data** **stored in a memory**, said **primary data representing the element in the level to which said** **element belongs <u>without any specific attachment to any level higher than said element</u>.**"

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As discussed above, Machida is not concerned with the hierarchical levels of elements. Further, Machida is not at all concerned with whether devices have any specific attachment to any level higher than the element, or that primary data would represent the element in the level to which said element belongs without any specific attachment to any level higher than said element.

The Examiner asserts that Machida, Figs. 4 and 5 and column 5, lines 40-45, teaches "and at least one set of **secondary data stored in said memory**, said **secondary data representing the element within the level to which said element belongs and the element's connection to a level higher than or equal to the level of said element in the hierarchy**."

The aspect of Machida cited by the Examiner describes that in the row of the icon 503f, the icons of the PCs are sequentially arranged and displayed from the left direction for a network line. The peripherals connected to the icon 503f of the PC are two icons 503g and 503h of printers. Therefore, it is possible to display the icons in a manner such that the icons 503g and 503h of the printers are connected to the icon 503f of the PC without changing the display position of the icon 503f of the PC.

However, there is no teaching or suggestion of secondary data stored in a memory, or that the secondary data represents the element within the level to which the element belongs and the element's connection to a level higher than or equal to the level of said element in the hierarchy. As discussed above, Machida is not directed to the claimed hierarchical levels, as would be obvious to one of skill in the art.

The Examiner asserts that column 4, lines 4-11 teach "management means ... for accessing and extracting from the memory the at least one of the sets of primary and secondary

<u>data</u> of the elements of the equipment that belong only to a designated level <u>when a request</u>

<u>designating a chosen level of a network equipment without attachment is received</u>."

However, there is no teaching or suggestion in Machida that a request designating a

chosen level of a network equipment without attachment is received. The aspect of Machida

cited by the Examiner teaches that <u>connection information</u> of all of the shared PCs and

peripherals on the network and status information such as processing states or the like of the

apparatuses are obtained in step S201. This information is stored in the PMEM 3.

However, the connection information of Machida is not primary data representing the

element in the level to which said element belongs without any specific attachment to any level

higher than said element, or secondary data representing the element within the level to which

said element belongs and the element's connection to a level higher than or equal to the level of

said element in the hierarchy.

The Examiner concedes that Machida does not teach "accessing and extracting from the

memory at least one of the sets of primary and secondary data of the elements of the equipment

<u>that belong to a designated level and to levels lower than said equipment when a request</u>

<u>designating a chosen level of a network equipment with attachment is received</u>," and cites Allan,

paragraphs [0009], [0026] and [0012] to cure the deficiency.

Allan describes an apparatus and method for selecting network entities. Graphical user

interfaces are improved by categorizing network entities into series of attribute layers that define

different features of the network entities. See abstract. The aspects of Allan cited by the

Examiner describe that the displaying of the network entities is done by illustrating a

geographical region selected for a base view and a plurality of network entities within the

geographical region based on a series of network features selected during filtering operations.

See paragraph [0009]. Further, Allan discloses categorization information corresponding to the network entities within the networks of interest. The categorization information is input to the local database. The local database maintains a file folder structure for each of the attribute layer containment hierarchies with a particular network entity being included in one or more folders. See paragraphs [0021]-[0022].

However, Allan is not directed to the claimed elements associated with hierarchical levels, or that at least one of the sets of primary and secondary data of the elements of the equipment <u>that belong to a designated level and to levels lower than said equipment when a request designating a chosen level of a network equipment with attachment is received, is</u> accessed and extracted from the memory. Further, Allan does not cure the deficiencies of Machida.

Therefore, Applicant respectfully submits that claim 1 is patentable for at least the reasons discussed above.

Further, to the extent that claim 9 recites features similar to those discussed above, Applicant also submits that claim 9 is patentable for analogous reasons. Further, Applicant also submits that all claims dependant upon claims 1 and 9 are patentable at least by virtue of their dependency.

II.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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